

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 1. General Provisions and Definitions

§105. Program Scope

These rules and regulations apply to owners and operators of all facilities that generate, transport, treat, store, or dispose of hazardous waste, except as specifically provided otherwise herein. The procedures of these regulations also apply to denial of a permit for the active life of a hazardous waste management facility or TSD unit under LAC 33:V.706. Definitions appropriate to these rules and regulations, including *solid waste* and *hazardous waste*, appear in LAC 33:V.109. Those wastes which are excluded from regulation are found in this Section.

* * *

[See Prior Text in A – D.2.1.i]

ii. a copy of the written agreement has been submitted to: Characteristics Section (OS-333), U.S. Environmental Protection Agency, ~~401 M Street, SW~~ 1200 Pennsylvania Ave, NW, Washington, DC 20460;

* * *

[See Prior Text D.2.m – O.2.c.vi]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 13:651 (November 1987), LR 14:790 (November 1988), LR 15:181 (March 1989), LR 16:47 (January 1990), LR 16:217 (March 1990), LR 16:220 (March 1990), LR 16:398 (May 1990), LR 16:614 (July 1990), LR 17:362 (April 1991), LR 17:368 (April 1991), LR 17:478 (May 1991), LR 17:883 (September 1991), LR 18:723 (July 1992), LR 18:1256 (November 1992), LR 18:1375 (December 1992), amended by the Office of the Secretary, LR 19:1022 (August 1993), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 20:1000 (September 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:813 (September 1996), LR 22:831 (September 1996), amended by the Office of the Secretary, LR 23:298 (March 1997), amended by the Office of Solid And Hazardous Waste, Hazardous Waste Division, LR 23:564 (May 1997), LR 23:567 (May 1997),

LR 23:721 (June 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:952 (August 1997), LR 23:1511 (November 1997), LR 24:298 (February 1998), LR 24:655 (April 1998), LR 24:1093 (June 1998), LR 24:1687 (September 1998), LR 24:1759 (September 1998), LR 25:431 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:268 (February 2000), LR 26:2464 (November 2000), LR 27:**.

§109. Definitions

For all purposes of these rules and regulations, the terms defined in this Chapter shall have the following meanings, unless the context of use clearly indicates otherwise:

* * *
[See Prior Text]

Dioxins and Furans (D/F)—tetra, penta, hexa, hepta, and octa-chlorinated dibenzo dioxins and furans.

* * *
[See Prior Text]

TEQ—toxicity equivalence, the international method of relating the toxicity of various dioxin/furan congeners to the toxicity of 2,3,7,8-tetrachlorodibenzo-p-dioxin.

* * *
[See Prior Text]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 13:651 (November 1987), LR 14:790 (November 1988), LR 15:378 (May 1989), LR 15:737 (September 1989), LR 16:47 (January 1990), LR 16:218 (March 1990), LR 16:220 (March 1990), LR 16:399 (May 1990), LR 16:614 (July 1990), LR 16:683 (August 1990), LR 17:362 (April 1991), LR 17:478 (May 1991), LR 18:723 (July 1992), LR 18:1375 (December 1992), repromulgated by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 19:626 (May 1993), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 20:1000 (September 1994), LR 20:1109 (October 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:814 (September 1996), LR 23:564 (May 1997), amended by the Office of Waste Services, Hazardous

Waste Division, LR 24:655 (April 1998), LR 24:1101 (June 1998), LR 24:1688 (September 1998), LR 25:433 (March 1999), repromulgated LR 25:853 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:269 (February 2000), LR 26:2465 (November 2000), LR 27:**.

§110. References

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[See Prior Text in A – A.10]

11. “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods”, EPA Publication SW-846 [Third Edition (November 1986), as amended by Updates I (July 1992), II (September 1994), IIA (August 1993), IIB (January 1995), III (December 1996), and IIIA (April 1998)]. The Third Edition of SW-846 and Updates I, II, IIA, IIB, and III (document number 955-001-00000-1) are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800. Update IIIA is available through EPA's Methods Information Communication Exchange (MICE) Service. MICE can be contacted by phone at (703) 821-4690. Update IIIA can also be obtained by contacting the U.S. Environmental Protection Agency, Office of Solid Waste (5307W), OSW Methods Team, ~~401 M Street, SW~~ 1200 Pennsylvania Ave, NW, Washington, DC, 20460. Copies of the Third Edition and its updates are also available from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4650. Copies may be inspected at the Library, U.S. Environmental Protection Agency, ~~401 M Street, SW~~ 1200 Pennsylvania Ave, NW, Washington, DC 20460, or at the Office of the Federal Register, 800 North Capitol Street, NW, Suite 700, Washington, DC;

* * *

[See Prior Text in A.12 – B]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 22:814 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:656 (April 1998), LR 24:1690 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:270 (February 2000), LR 27:**.

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Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 3. General Conditions for Treatment, Storage, and Disposal Facility Permits

§322. Classification of Permit Modifications

The following is a listing of classifications of permit modifications made at the request of the permittee.

Modifications	Class
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* * *

[See Prior Text in A - B.7.b]

8. Changes to remove permit conditions that are no longer applicable (i.e., because the standards upon which they are based are no longer applicable to the facility).

¹1

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[See Prior Text in Note - N.3]

¹Class 1 modifications requiring prior administrative authority approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 13:433 (August 1987), LR 16:614 (July 1990), LR 17:658 (July 1991), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:815 (September 1996), amended by the Office of the Secretary, LR 24:2245 (December 1998), amended by the Office of Waste Services, Hazardous Waste Division, LR 25:436 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, L.R. 26:270 (February 2000), LR 27:***.

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Chapter 5. Permit Application Contents

Subchapter E. Specific Information Requirements

§529. Specific Part II Information Requirements for Incinerators

Except as LAC 33:V.Chapter 31 and Subsection F of this Section provides otherwise, owners and operators of facilities that incinerate hazardous waste must fulfill the requirements of Subsection A, B or C of this Section.

* * *

[See Prior Text in A - E.3]

F. When an owner or operator demonstrates compliance with the air emission standards and limitations in 40 CFR part 63, subpart EEE (i.e., by conducting a comprehensive performance test and submitting a notification of compliance), the requirements of this Section do not apply. Nevertheless, the administrative authority may apply the provisions of this Section, on a case-by-case basis, for purposes of information collection in accordance with LAC 33:V.303.Q and 311.E.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 and 30:2011.D.24(a).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:280 (April 1984), LR 22:817 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 25:2199 (November 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

§535. Specific Part II Information Requirements for Boilers and Industrial Furnaces Burning Hazardous Waste for Energy or Material Recovery and not for Destruction

* * *

[See Prior Text in A - F]

G. When an owner or operator of a cement or lightweight aggregate kiln demonstrates compliance with the air emission standards and limitations in 40 CFR part 63, subpart EEE (i.e.,

by conducting a comprehensive performance test and submitting a notification of compliance), the requirements of this Section do not apply. Nevertheless, the administrative authority may apply the provisions of this Section, on a case-by-case basis, for purposes of information collection in accordance with LAC 33:V.303.Q and 311.E.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 15:737 (September 1989), amended LR 18:1375 (December 1992), LR 21:266 (March 1995), LR 22:817 (September 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

Subchapter F. Special Forms of Permits

§537. Permits for Boiler and Industrial Furnaces Burning Hazardous Waste for Recycling Purposes Only (boilers and industrial furnaces burning hazardous waste for destruction are subject to permit requirements for incinerators)

* * *

[See Prior Text in A - C.2]

D. When an owner or operator of a cement or lightweight aggregate kiln demonstrates compliance with the air emission standards and limitations in 40 CFR part 63, subpart EEE (i.e., by conducting a comprehensive performance test and submitting a notification of compliance), the requirements of this Section do not apply. Nevertheless, the administrative authority may apply the provisions of this Section, on a case-by-case basis, for purposes of information collection in accordance with LAC 33:V.303.Q and 311.E.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

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Chapter 9. Manifest System for TSD Facilities

§905. Use of the Manifest System

* * *

[See Prior Text in A - C]

D. Within three working days of the receipt of a shipment subject to LAC 33:V.Chapter 11.Subchapter B, the owner or operator of the facility must provide a copy of the tracking document bearing all required signatures to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, 401 M Street, SW 1200 Pennsylvania Ave, NW, Washington, DC 20460, ~~to the Department of Environmental Quality, Office of Environmental Services, Environmental Assistance Division, Box 82135, Baton Rouge, LA 70884~~; and to competent authorities of all other concerned countries. A copy of the tracking document must be maintained at the facility for at least three years from the date of signature.

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 17:364 (April 1991), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:660 (April 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:41 (January 2001), LR 27:**.

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Chapter 11. Generators

Subchapter A. General

§1109. Pre-Transport Requirements

* * *

[See Prior Text in A - E.1.d]

e. the generator complies with the requirements for owners or operators in LAC 33:V.2245.~~DE~~, 4319 and in Chapter 43.Subchapters B and C.

* * *

[See Prior Text in E.2 – 7.d.iv.(c).(v)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 13:433 (August 1987), LR 16:47 (January 1990), LR 16:220 (March 1990), LR 16:1057 (December 1990), LR 17:658 (July 1991), LR 18:1256 (November 1992), LR 18:1375 (December 1992), LR 20:1000 (September 1994), LR 20:1109 (October 1994), LR 21:266 (March 1995), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1693 (September 1998), LR 25:437 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1466 (August 1999), LR 26:277 (February 2000), LR 26:2470 (November 2000), LR 27:**.

Subchapter B. Transfrontier Shipments of Hazardous Waste

§1127. Transfrontier Shipments of Hazardous Waste for Recovery Within the OECD

* * *

[See Prior Text in A - C.2.a.]

i. Notification. At least 45 days prior to commencement of the transfrontier movement, the notifier must provide written notification in English of the proposed transfrontier movement to the Office of Enforcement and Compliance Assurance, Office of Compliance,

Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, ~~401 M Street, SW~~ 1200 Pennsylvania Ave, NW, Washington, DC 20460, with the words "Attention: OECD Export Notification" prominently displayed on the envelope. This notification must include all of the information identified in Subsection C.5 of this Section. In cases where wastes having similar physical and chemical characteristics, the same United Nations classification, and the same RCRA waste codes are to be sent periodically to the same recovery facility by the same notifier, the notifier may submit one notification of intent to export these wastes in multiple shipments during a period of up to one year.

* * *

[See Prior Text in C.2.a.ii – C.2.b]

i. The notifier must provide EPA the information identified in Subsection C.5 of this Section, in English, at least 10 days in advance of commencing shipment to a preapproved facility. The notification should indicate that the recovery facility is preapproved and may apply to a single specific shipment or to multiple shipments as described in Subsection C.2.a.i of this Section. This information must be sent to the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, ~~401 M Street, SW~~ 1200 Pennsylvania Ave, NW, Washington, DC 20460, with the words "OECD Export Notification-Preapproved Facility" prominently displayed on the envelope.

* * *

[See Prior Text in C.2.b.ii – D.4]

5. Within three working days of the receipt of imports subject to this Subchapter, the owner or operator of the United States recovery facility must send signed copies of the tracking document to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, ~~401 M Street, SW~~ 1200 Pennsylvania Ave, NW, Washington, DC 20460, and to the competent authorities of the exporting and transit countries.

* * *

[See Prior Text in E – G]

1. Annual Reports. For all waste movements subject to this Subchapter, persons (e.g., notifiers, recognized traders) who meet the definition of primary exporter in LAC 33:V.109 shall file an annual report with the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, ~~401 M Street, SW~~ 1200 Pennsylvania Ave, NW, Washington, DC 20460, no later than March 1 of each year summarizing the types, quantities, frequency, and ultimate

destination of all such hazardous waste exported during the previous calendar year. (If the primary exporter is required to file an annual report for waste exports that are not covered under this Subchapter, he may include all export information in one report provided the information required by this Subsection on exports of waste destined for recovery within the designated OECD member countries is contained in a separate ~~S~~section.) Such reports shall include the following:

* * *

[See Prior Text in G.1.a – I.4]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Waste Services, Hazardous Waste Division, LR 24:661 (April 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2471 (November 2000), LR 27:**.

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ENVIRONMENTAL QUALITY
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Chapter 15. Treatment, Storage, and Disposal Facilities

§1531. Required Notices

* * *

[See Prior Text in A]

B. The owner or operator of a recovery facility that has arranged to receive hazardous waste subject to LAC 33:V.Chapter 11.Subchapter B must provide a copy of the tracking document bearing all required signatures to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, ~~401 M Street, SW~~ 1200 Pennsylvania Ave, NW, Washington, DC 20460, and to the competent authorities of all other concerned countries within three working days of receipt of the shipment. The original of the signed tracking document must be maintained at the facility for at least three years.

* * *

[See Prior Text in C – E]

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 15:378 (May 1989), LR 16:220 (March 1990), LR 16:399 (May 1990), LR 18:1256 (November 1992), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:666 (April 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2473 (November 2000), LR 27:***.

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Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 17. Air Emission Standards

Subchapter A. Process Vents

§1705. Applicability

The regulations in this Subchapter apply to owners and operators of facilities that treat, store, or dispose of hazardous wastes (except as provided in LAC 33:V.1501).

* * *

[See Prior Text in A]

1. a unit that is subject to the permitting requirements of LAC 33:V.Chapters 3, 5, 7, ~~31,~~
~~and~~ 43;
2. a unit (including a hazardous waste recycling unit) that is not exempt from the permitting requirements under LAC 33:V.1109.E (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and that is located on a hazardous waste management facility otherwise subject to the permitting requirements of LAC 33:V.Chapters 3, 5, 7, ~~31,~~
~~and~~ 43; or

* * *

[See Prior Text in A.3 - D]

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 17:658 (July 1991), amended LR 18:723 (July 1992), LR 20:1000 (September 1994), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1698 (September 1998), LR 25:437 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

Subchapter B. Equipment Leaks

§1717. Applicability

* * *

[See Prior Text in A - B]

1. a unit that is subject to the permitting requirements of LAC 33:V.Chapters 3, 5, 7, ~~31,~~
~~and/or~~ 43; or
2. a unit (including a hazardous waste recycling unit) that is not exempt from permitting under the provisions of LAC 33:V.1109.E.1 (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and that is located at a hazardous waste management facility otherwise subject to the permitting requirements of LAC 33:V.Chapters 3, 5, 7, ~~31,~~
~~and/or~~ 43; or

* * *

[See Prior Text in B.3 – F.Note]

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 17:658 (July 1991), amended LR 20:1000 (September 1994), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1700 (September 1998), LR 25:438 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

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ENVIRONMENTAL QUALITY
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Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 22. Prohibitions on Land Disposal

Subchapter A. Land Disposal Restrictions

§2214. ~~Waste-Specific Prohibitions—Organobromine Wastes~~Repealed

~~A. Effective April 20, 1999, the wastes specified in LAC 33:V.4901.C as EPA Hazardous Wastes Number K140 and in LAC 33:V.4901.F as EPA Hazardous Waste Number U408 are prohibited from land disposal. In addition, soils and debris contaminated with these wastes, radioactive wastes mixed with these hazardous wastes, and soils and debris contaminated with these radioactive mixed wastes, are prohibited from land disposal.~~

~~B. The requirements of Subsection A of this Section do not apply if:~~

- ~~1. the wastes meet the applicable treatment standards specified in LAC 33:V.2223-2236;~~
- ~~2. persons have been granted an exemption from a prohibition in accordance with a petition under LAC 33:V.2241 or 2271, with respect to those wastes and units covered by the petition;~~
- ~~3. the wastes meet the applicable treatment standards established in accordance with a petition granted under LAC 33:V.2231;~~
- ~~4. hazardous debris has met treatment standards in LAC 33:V.2223 or in the alternative treatment standards in LAC 33:V.2230; or~~
- ~~5. persons have been granted an extension to the effective date of a prohibition in accordance with LAC 33:V.2239, with respect to these wastes covered by the extension.~~

~~C. To determine whether a hazardous waste identified in this Section exceeds the applicable treatment standards specified in LAC 33:V.2223, the initial generator must test a sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable universal treatment standard levels of LAC 33:V.2223, the waste is prohibited from land disposal and all requirements of this Chapter are applicable, except as otherwise specified.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Waste Services, Hazardous Waste Division, LR 25:443 (March 1999) , repealed by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

§2236. Alternative Land Disposal Restriction (LDR) Treatment Standards for Contaminated Soil

* * *

[See Prior Text in A - C.1]

a. for nonmetals except carbon disulfide, cyclohexanone, and methanol, treatment must achieve 90 percent reduction in total constituent concentrations, except as provided by Subsection C.1.c of this Section;

b. for metals and carbon disulfide, cyclohexanone, and methanol, treatment must achieve 90 percent reduction in constituent concentrations as measured in leachate from the treated media (tested according to the toxicity characteristic leaching procedure, TCLP) or 90 percent reduction in total constituent concentrations (when a metal removal treatment technology is used), except as provided by Subsection C.1.c of this Section;

* * *

[See Prior Text in C.1.c - E.2.b]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Waste Services, LR 25:446 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:281 (February 2000), LR 27:**.

§2245. Generators' Waste Analysis, Recordkeeping, and Notice Requirements

* * *

[See Prior Text in A - C.1]

2. for contaminated soil, with the initial shipment of wastes to each treatment, storage, or disposal facility, the generator must send a one-time written notice to each facility receiving the waste and place a copy in the file. The notice must include the information in Subsection D of this Section of the Generator Paperwork Requirements Table;

3. if the waste changes, the generator must send a new notice and certification to the receiving facility, and place a copy in their files. Generators of hazardous

debris excluded from the definition of hazardous waste under LAC 33:V.109.Hazardous Waste.6 are not subject to these requirements.

* * *

[See Prior Text in D -K]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 15:378 (May 1989), amended LR 16:1057 (December 1990), LR 17:658 (July 1991), LR 21:266 (March 1995), LR 21:267 (March 1995), LR 21:1334 (December 1995), LR 22:22 (January 1996), LR 22:820 (September 1996), LR 22:1130 (November 1996), LR 23:565 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:669 (April 1998), LR 24:1728 (September 1998), LR 25:447 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:281 (February 2000), LR 26:2478 (November 2000), LR 27:**.

Table 2 - TREATMENT STANDARDS FOR HAZARDOUS WASTES

TABLE 2. TREATMENT SYSTEMS FOR HAZARDOUS WASTES					
Waste Code	Waste Description and Treatment/Regulatory Subcategory ¹	Regulated Hazardous Constituent		Wastewaters	Nonwastewaters
		Common Name	CAS ² Number	Concentration in mg/l ³ ; or Technology Code ⁴	Concentration in mg/kg ⁵ unless noted as "mg/l TCLP" or Technology Code ⁴
* * *					
[See Prior Text in D001 ⁹ – K087]					
K088	Spent potliners from primary aluminum reduction.	Acenaphthalene	83-32-9	0.059	3.4
		Anthracene	120-12-7	0.059	3.4
		Benzo(a)anthracene	56-55-3	0.059	3.4
		Benzo(a)pyrene	50-32-8	0.061	3.4
		Benzo(b)fluoranthene	205-99-2	0.11	6.8
		Benzo(k)fluoranthene	207-08-9	0.11	6.8

		Benzo(g,h,i)perylene	191-24-2	0.0055	1.8
		Chrysene	218-01-9	0.059	3.4
		Dibenz(a,h)anthracene	53-70-3	0.055	8.2
		Fluoranthene	206-44-0	0.068	3.4
		Indeno (1,2,3-c,d)pyrene	193-39-5	0.0055	3.4
		Phenanthrene	85-01-8	0.059	5.6
		Pyrene	129-00-0	0.067	8.2
		Antimony	7440-36-0	1.9	1.15 mg/l TCLP
		Arsenic	7440-38-2	1.4	26.1 mg/kgTCLP

		Barium	7440-39-3	1.2	21 mg/l TCLP
		Beryllium	7440-41-7	0.82	1.22 mg/l TCLP
		Cadmium	7440-43-9	0.69	0.11 mg/l TCLP
		Chromium (Total)	7440-47-3	2.77	0.60 mg/l TCLP
		Lead	7439-92-1	0.69	0.75 mg/l TCLP
		Mercury	7439-97-6	0.15	0.025 mg/l TCLP
		Nickel	7440-02-0	3.98	11 mg/l TCLP
		Selenium	7782-49-2	0.82	5.7 mg/l TCLP

		Silver	7440-22-4	0.43	0.14 mg/l TCLP
		Cyanide (Total) ⁷	57-12-5	1.2	590
		Cyanide (Amenable) ⁷	57-12-5	0.86	30
		<u>Fluoride</u>	<u>16984-48-8</u>	<u>35</u>	<u>NA</u>
<p style="text-align: center;">* * *</p> <p style="text-align: center;">[See Prior Text in K093 – K132]</p>					
K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	Methyl bromide (Bromomethane)	74-83-9	0.11	15
		Chloroform	67-66-3	0.046	6.0
		Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
K140	Floor sweepings, off-specification product, and spent filter media from the production of 2,4,6-Tribromophenol	2,4,6-Tribromophenol	118-79-6	0.035	7.4

K141	Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludge from coking operations).	Benzene	71-43-2	0.14	10
		Benzo(a)anthracene	56-55-3	0.059	3.4
		Benzo(a)pyrene	50-2-8	0.061	3.4
		Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
		Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
		Chrysene	218-01-9	0.059	3.4
		Dibenz(a,h)anthracene	53-70-3	0.055	8.2

		Indeno(1,2,3-cd)pyrene	193-39-5	0.0055	3.4
* * *					
[See Prior Text in K142 – U395]					
U404	Triethylamine	Triethylamine	121-44-8	0.081	1.5
U408	2,4,6 Tribromophenol	2,4,6-Tribromophenol	118-79-6	0.035	7.4
U409	Thiophanate-methyl	Thiophanate-methyl	23564-05-8	0.056	1.4
* * *					
[See Prior Text in U410 – U411]					

[See Prior Text in Notes 1 – 11]

Note: NA means not applicable.

Table 7. Universal Treatment Standards			
Regulated Constituent-Common Name	CAS ¹ Number	Wastewater Standard Concentration in mg/l ²	Nonwastewater Standard Concentration in mg/kg ³ unless noted as "mg/l TCLP"
Organic Constituents			
* * *			
[See Prior Text in Acenaphthylene - Acetone]			
Acetonitrile	75-05-8	5.6	1.838
* * *			
[See Prior Text in Acetophenone – Acrylamide]			
Acrylonitrile	107-02-8 113-1	0.24	84
* * *			
[See Prior Text in Aldicarb sulfone ⁶ – Carbofuran phenol ⁶]			
Carbon disulfide	75-15-0	3.8	4.8 mg/l TCLP
* * *			
[See Prior Text in Carbon tetrachloride – 2-Chloro-1,3-butadiene]			
Chlorodibromomethane	124-48-1	0.057	15
* * *			
[See Prior Text in Chloroethane - Chloroform]			
bis(2-Chloroisopropyl)ether	108-60-1 39638-32-9	0.055	7.2
* * *			
[See Prior Text in p-Chloro-m-cresol – 2,4-Dinitrophenol]			
2,4-Dinitrotoluene	121-14-2	0.32	140
* * *			
[See Prior Text in 2, 6 –Dinitrotoluene – Di-n-propylnitrosamine]			
1,4-Dioxane	123-91-1	NA 12.0	170
* * *			
[See Prior Text in Diphenylamine (difficult to distinguish from diphenylnitrosamine) - Disulfoton]			
Dithiocarbamates (total) ⁶	137-30-4 NA	0.028	28
* * *			
[See Prior Text in EPTC ⁶]			
Endosulfan I	9359-98-8	0.023	0.066

Table 7. Universal Treatment Standards			
Regulated Constituent-Common Name	CAS ¹ Number	Wastewater Standard Concentration in mg/l ²	Nonwastewater Standard Concentration in mg/kg ³ unless noted as "mg/l TCLP"
Endosulfan II	33213-65- 59	0.029	0.13
Endosulfan sulfate	4-341031 -07-8	0.029	0.13
* * *			
[See Prior Text in Endrin – Formetanate hydrochloride ⁶]			
Heptachlor	756 -44-8	0.0012	0.066
* * *			
[See Prior Text in Heptachlor epoxide – HxCDDs (All Hexachlorodibenzo-p-dioxins)]			
HexCDFs (All Hexachlorodibenzofurans)	NA	0.000063	0.001
* * *			
[See Prior Text in Hexachloroethane – Iodomethane]			
Isobutyl alcohol	78-83-1	5.6	407 <u>170</u>
* * *			
[See Prior Text in Isodrin - Isosafrole]			
Kepone	143-50- 80	0.0011	0.13
* * *			
[See Prior Text in Methacrylonitrile - Naphthalene]			
2-Naphthylamine	91-59-8	0.52	NA
* * *			
[See Prior Text in o-Nitroaniline – - Pronamide]			
Propham ⁶	1422 -42-9	0.056	1.4
* * *			
[See Prior Text in Propoxur ⁶ – 1,2,4,5-Tetrachlorobenzene]			
TCDDs (All Tetrachlorodibenzo- np -dioxins)	NA	0.000063	0.001
* * *			
[See Prior Text in TCDFs (All Tetrachlorodibenzofurans) –1,1,1,2-Tetrachloroethane]			
1,1,2,2-Tetrachloroethane	79-34-65	0.057	6.0
* * *			
[See Prior Text in Tetrachloroethylene – Thiodicarb ⁶]			
Thiophanate-methyl ⁶	23564-05-8	0.056	1.4
Tirpate ⁶	26419-73-8	0.056	0.28

Table 7. Universal Treatment Standards			
Regulated Constituent-Common Name	CAS ¹ Number	Wastewater Standard Concentration in mg/l ²	Nonwastewater Standard Concentration in mg/kg ³ unless noted as "mg/l TCLP"
Toluene	108-88-3	0.080	10
* * *			
[See Prior Text in Toxaphene – Triallate ⁶]			
Bromoform (Tribromomethane)	75-25-2	0.63	15
2,4,6-Tribromophenol	118-79-6	0.035	7.4
1,2,4-Trichlorobenzene	120-82-1	0.055	19
* * *			
[See Prior Text in 1,1,1-Trichloroethane – Inorganic Constituents, Cyanides (Amenable) ⁴]			
Fluoride ⁵	16968 4-48-8	35	NA
* * *			
[See Prior Text in Lead – Zinc ⁵]			

* * *

[See Prior Text in Notes 1 – 7]

NOTE: NA means not applicable

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 30. Hazardous Waste Burned in Boilers and Industrial Furnaces

§3001. Applicability

* * *
[See Prior Text in A]

B. Integration of the MACT Standards

1. Except as provided by Subsection B.2 of this Section, the standards of this Chapter no longer apply when an affected source demonstrates compliance with the maximum achievable control technology (MACT) requirements of 40 CFR part 63, subpart EEE by conducting a comprehensive performance test and submitting to the administrative authority a notification of compliance under 40 CFR 63.1207(j) and 63.1210(d) documenting compliance with the requirements of subpart EEE of 40 CFR 63. Nevertheless, even after this demonstration of compliance with the MACT standards, RCRA permit conditions that were based on the standards of LAC 33:V.Chapter 30 will continue to be in effect until they are removed from the permit or the permit is terminated or revoked, unless the permit expressly provides otherwise.

2. The following standards continue to apply:

- a. the closure requirements of LAC 33:V.3005.I and 3007.L;
- b. the standards for direct transfer of LAC 33:V.3023;
- c. the standards for regulation of residues of LAC 33:V.3025; and
- d. the applicable requirements of LAC 33:V.901, 905, 907, 909 and Chapters 15, 17 (Subchapters B and C), 33, 35, 37, and 43 (Subchapters A – G, R, and V) and 4301.A – C, G, I, 4306.

BC. The following hazardous wastes and facilities are not subject to regulation under this Chapter:

1. used oil burned for energy recovery that is also a hazardous waste solely because it exhibits a characteristic of hazardous waste identified in LAC 33:V.4903. Such used oil is subject to regulation under LAC 33:V.Chapter 40;
2. gas recovered from hazardous or solid waste landfills when such gas is burned for energy recovery;
3. hazardous wastes that are exempt from regulation under LAC 33:V.105.D and 4105.B.10-12, and hazardous wastes that are subject to the special requirements for small quantity generators under LAC 33:V.Chapter 39; and
4. coke ovens, if the only hazardous waste burned is EPA Hazardous Waste Number K087, decanter tank tar sludge from coking operations.

ED. Owners or operators of smelting, melting, and refining furnaces (including pyrometallurgical devices such as cupolas, sintering machines, roasters, and foundry furnaces, but not including cement kilns, aggregate kilns, or halogen acid furnaces burning hazardous waste) that process hazardous waste solely for metal recovery are conditionally exempt from regulation under this Section, except for LAC 33:V.3003 and 3005.

1. To be exempt from LAC 33:V.3005–3023, an owner or operator of a metal recovery furnace or mercury recovery furnace must comply with the following requirements, ~~(except that an owner or operator of a lead or a nickel-chromium recovery furnace or a metal recovery furnace that burns baghouse bags used to capture metallic dusts emitted by steel manufacturing must comply with the requirements of Subsection ED.3 of this Section), and~~ owners or operators of lead recovery furnaces that are subject to regulation under the Secondary Lead Smelting NESHAP must comply with the requirements of Subsection H of this Section:

- a. provide a one-time written notice to the administrative authority indicating the following:
 - i. the owner or operator claims exemption under this Paragraph;
 - ii. the hazardous waste is burned solely for metal recovery consistent with the provisions of ~~LAC 33:V.3001.C.2~~ Subsection D.2 of this Section;
 - iii. the hazardous waste contains recoverable levels of metals; and
 - iv. the owner or operator will comply with the sampling and analysis and recordkeeping requirements of this Paragraph;
- b. sample and analyze the hazardous waste and other feedstocks as necessary to comply with the requirements of this Section under procedures specified by "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, as

incorporated by reference at LAC 33:V.110, or alternative methods that meet or exceed the SW-846 method performance capabilities. If SW-846 does not prescribe a method for a particular determination, the owner or operator shall use the best available method; and

c. maintain at the facility for at least three years records to document compliance with the provisions of this Paragraph including limits on levels of toxic organic constituents and Btu value of the waste, and levels of recoverable metals in the hazardous waste compared to normal nonhazardous waste feedstocks.

2. A hazardous waste meeting either of the following criteria is not processed solely for metal recovery:

a. the hazardous waste has a total concentration of organic compounds listed in LAC 33:V.4901.G.Table 6 exceeding 500 ppm by weight, as-fired and so is considered to be burned for destruction. The concentration of organic compounds in a waste as-generated may be reduced to the 500 ppm limit by bona fide treatment that removes or destroys organic constituents. Blending for dilution to meet the 500 ppm limit is prohibited and documentation that the waste has not been impermissibly diluted must be retained in the records required by ~~LAC 33:V.3001.C.1.e~~ Subsection D.1.c of this Section; or

b. the hazardous waste has a heating value of 5,000 Btu/lb or more as-fired and so is considered to be burned as fuel. The heating value of a waste as-generated may be reduced to below the 5,000 Btu/lb limit by bona fide treatment that removes or destroys organic constituents. Blending for dilution to meet the 5,000 Btu/lb limit is prohibited and documentation that the waste has not been impermissibly diluted must be retained in the records required by ~~LAC 33:V.3001.C.1.e~~ Subsection D.1.c of this Section.

3. To be exempt from LAC 33:V.3005–3023, an owner or operator of a lead or nickel-chromium or mercury recovery furnace, except for owners or operators of lead recovery furnaces subject to regulation under the Secondary Lead Smelting NESHAP, or a metal recovery furnace that burns baghouse bags used to capture metallic dusts emitted by steel manufacturing must provide a one-time written notice to the administrative authority identifying each hazardous waste burned, specifying whether the owner or operator claims an exemption for each waste under Subsection ~~€D.1~~ or ~~€D.3~~ of this Section. The owner or operator must comply with the requirements of Subsection ~~€D.1~~ of this Section for those wastes claimed to be exempt under that section and must comply with the requirements below for those wastes claimed to be exempt under this Section.

a. The hazardous wastes listed in 40 CFR 266, appendices XI, XII, and XIII, as adopted and amended at Appendices K, L, and M of this Chapter, and baghouse bags used to capture metallic dusts emitted by steel manufacturing are exempt from the requirements of Subsection ~~€D.1~~ of this Section, provided that:

i. a waste listed in 40 CFR 266, Appendix IX, as adopted at Appendix I of this Chapter, must contain recoverable levels of lead, a waste listed in 40 CFR 266, Appendix XII, as adopted and amended at Appendix L of this Chapter, must contain

recoverable levels of nickel or chromium, a waste listed in 40 CFR 266, Appendix XIII, as adopted and amended at Appendix M of this Chapter, must contain recoverable levels of mercury and contain less than 500 ppm of LAC 33:V.3105.Table 1 organic constituents, and baghouse bags used to capture metallic dusts emitted by steel manufacturing must contain recoverable levels of metal;

ii. the waste does not exhibit the Toxicity Characteristic of LAC 33:V.4903.E for an organic constituent;

iii. the waste is not a hazardous waste listed in LAC 33:V.4901 because it is listed for an organic constituent as identified in LAC 33:V.4901.G.Table 6; and

iv. the owner or operator certifies in the one-time notice that hazardous waste is burned under the provisions of ~~LAC 33:V.3001.C.3~~Subsection D.3 of this Section and that sampling and analysis will be conducted or other information will be obtained as necessary to ensure continued compliance with these requirements. Sampling and analysis shall be conducted according to ~~LAC 33:V.3001.C.1.b~~Subsection D.1.b of this Section; records to document compliance with ~~LAC 33:V.3001.C.3~~Subsection D.3 of this Section shall be kept for at least three years.

b. the administrative authority may decide on a case-by-case basis that the toxic organic constituents in a material listed in 40 CFR 266, Appendix XI, XII, or XIII, as adopted and amended at Appendices K, L, and M of this Chapter, that contains a total concentration of more than 500 ppm toxic organic compounds listed in LAC 33:V.3105.Table 1 may pose a hazard to human health and the environment when burned in a metal recovery furnace exempt from the requirements of this Chapter. In that situation, after adequate notice and opportunity for comment, the metal recovery furnace will become subject to the requirements of this Chapter when burning that material. In making the hazard determination, the administrative authority will consider the following factors:

i. the concentration and toxicity of organic constituents in the material;

ii. the level of destruction of toxic organic constituents provided by the furnace; and

iii. whether the acceptable ambient levels established in 40 CFR 266, Appendix IV or V, as adopted and amended at Appendices D and E of this Chapter, may be exceeded for any toxic organic compound that may be emitted based on dispersion modeling to predict the maximum annual average off-site ground level concentration.

~~DE~~. The standards for direct transfer operations under LAC 33:V.3023 apply only to facilities subject to the permit standards of LAC 33:V.3005 or the interim status standards of LAC 33:V.3007.

~~EF~~. The management standards for residues under LAC 33:V.3025 apply to any boiler or

industrial furnace burning hazardous waste.

FG. Owners or operators of smelting, melting, and refining furnaces (including pyrometallurgical devices such as cupolas, sintering machines, roasters, and foundry furnaces, but not including cement kilns, aggregate kilns, or halogen acid furnaces burning hazardous waste) that process hazardous waste for recovery of economically significant amounts of the precious metals gold, silver, platinum, palladium, iridium, osmium, rhodium, or ruthenium or any combination of these are conditionally exempt from regulation under this Section, except for LAC 33:V.3025.

1. To be exempt from LAC 33:V.3005-3023, an owner or operator must:

a. provide a one-time written notice to the administrative authority indicating the following:

i. the owner or operator claims exemption under this Paragraph;

ii. the hazardous waste is burned solely for legitimate metal recovery; and

iii. the owner or operator will comply with the sampling, analysis, and recordkeeping requirements of this Paragraph;

b. sample and analyze the hazardous waste as necessary to document that the waste is burned for recovery of economically significant amounts of precious metal using procedures as described in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, as incorporated by reference at LAC 33:V.110, or alternative methods that meet or exceed the SW-846 method performance capabilities. If SW-846 does not prescribe a method for a particular determination, the owner or operator shall use the best available method; and

c. maintain at the facility for at least three years records to document that all hazardous wastes burned are for recovery of economically significant amounts of precious metal.

H. Starting June 23, 1997, owners or operators of lead recovery furnaces that process hazardous waste for recovery of lead and that are subject to regulation under the Secondary Lead Smelting NESHAP, are conditionally exempt from regulation under this Chapter, except for LAC 33:V.3003. To be exempt, an owner or operator must provide a one-time notice to the administrative authority identifying each hazardous waste burned and specifying that the owner or operator claims an exemption under this Subsection. The notice also must state that the waste burned has a total concentration of nonmetal compounds listed in LAC 33:V.3105. Table 1 of less than 500 ppm by weight, as fired and as provided in Subsection D.2.a of this Section, or is listed in Appendix K of this Chapter.

[Note: Parts of this Section were previously promulgated in LAC 33:V:4142 which has been repealed.]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 18:1375 (December 1992), amended LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:821 (September 1996), LR 22:835 (September 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1466 (August 1999), LR 27:**.

§3003. Management Prior to Burning

* * *

[See Prior Text in A- C]

1. Owners ~~or~~and operators of facilities that store or treat hazardous waste that is burned in a boiler or industrial furnace are subject to the applicable provision of LAC 33:V.Chapters 1, 3, 5, 9, 15, 19, 21, 23, 25, 29, 33, 35, 37 and 43, except as provided by LAC 33:V.3003.C.2. These standards apply to storage and treatment by the burner as well as to storage and treatment facilities operated by intermediaries (processors, blenders, distributors, etc.) between the generator and the ~~commercial~~ burner.

* * *

[See Prior Text in C.2 - Note]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 18:1375 (December 1992), amended LR 21:266 (March 1995), LR 21:944 (September 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

§3011. Standards to Control Particulate Matter

* * *

[See Prior Text in A - B]

C. Oxygen Correction

1. Measured pollutant levels must be corrected for the amount of oxygen in the stack gas according to the formula:

$$P_c = P_m \times 14 / (E - Y)$$

where:

P_c = corrected concentration of the pollutant in the stack gas

P_m = measured concentration of the pollutant in the stack gas

E = oxygen concentration on a dry basis in the combustion air fed to the device

Y = measured oxygen concentration on a dry basis in the stack.

2. For devices that feed normal combustion air, E will equal 21 percent. For devices that feed oxygen-enriched air for combustion (i.e., air with an oxygen concentration exceeding 21 percent), the value of E will be the concentration of oxygen in the enriched air.

3. Compliance with all emission standards provided by this Chapter must be based on correcting to seven percent oxygen using this procedure.

ED. For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under LAC 33:V.3005) will be regarded as compliance with this Section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this Section may be "information" justifying modification or revocation and re-issuance of a permit under LAC 33:V.323.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 18:1375 (December 1992), amended LR 22:823 (September 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

§3025. Regulation of Residues

A residue derived from the burning or processing of hazardous waste in a boiler or industrial furnace is not excluded from the definition of a hazardous waste under LAC 33:V.105.D.2.d, h, and i unless the device and the owner or operator meet the following requirements:

* * *

[See Prior Text in A - B]

1. Comparison of Waste-Derived Residue with Normal Residue. The waste-derived residue must not contain LAC 33:V.4901.G.Table 6 constituents (toxic constituents) that could reasonably be attributable to the hazardous waste at concentrations significantly higher than in residue generated without burning or processing of hazardous waste, using the following procedure. Toxic compounds that could reasonably be attributable to burning or processing the hazardous waste (constituents of concern) include toxic constituents in the hazardous waste, and the organic compounds listed in 40 CFR 266, appendix VIII, as adopted at Appendix H of this Chapter, that may be generated as products of incomplete combustion. Sampling and analyses shall be in conformance with procedures prescribed in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, as incorporated by reference at LAC 33:V.110. For polychlorinated dibenzo-p-dioxins and polychlorinated dibenzo-furans, analyses must be performed to determine specific congeners and homologues, and the results converted to 2,3,7,8-TCDD equivalent values using the procedure specified in Appendix I of this Chapter.

* * *

[See Prior Text in B.1.a - B.2]

a. Nonmetal Constituents. The concentration of each nonmetal toxic constituent of concern (specified in Subsection B.1 of this Section) in the waste-derived residue must not exceed the health-based level specified in 40 CFR 266, appendix VII, as adopted and amended at Appendix G of this Chapter, or the level of detection (using analytical procedures prescribed in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846, as incorporated by reference at LAC 33:V.110), whichever is higher. If a health-based limit for a constituent of concern is not listed in 40 CFR 266, appendix VII, as adopted and amended at Appendix G of this Chapter, then a limit of 0.002 micrograms per kilogram or the level of detection (using analytical procedures ~~prescribed~~ contained in SW-846 or other appropriate methods), whichever is higher, shall be used. The levels specified in 40 CFR 266, appendix VII (and the default level of 0.002 micrograms per kilogram or the level of detection for constituents as identified in 40 CFR 266, appendix VII.Note 1, as adopted and amended at Appendix G of this Chapter) are administratively stayed under the condition, for those constituents specified in Subsection B.1 of this Section, that the owner or operator complies with alternative levels defined as the land disposal restriction limits specified in LAC 33:V.Chapter 22.Table 2 for F039 nonwastewaters. In complying with those alternative levels, if an owner or operator is unable to detect a constituent despite documenting use of best good-faith efforts, as defined by applicable agency guidance or standards, the owner or operator is deemed to be in compliance for that constituent. Until new guidance or standards are developed, the owner or operator may demonstrate such good-faith efforts by achieving a detection limit for the constituent that does not exceed an order of magnitude above the level provided by LAC 33:V.Chapter 22.Table 2 for F039 nonwastewaters. In complying with the LAC 33:V.Chapter 22.Table 2 for F039 nonwastewater levels for polychlorinated dibenzo-p-dioxins and

polychlorinated dibenzo-furans, analyses must be performed for total hexachlorodibenzo-p-dioxins, total hexachlorodibenzofurans, total pentachlorodibenzo-p-dioxins, total pentachlorodibenzofurans, total tetrachlorodibenzo-p-dioxins, and total tetrachlorodibenzofurans.
Note: The stay, under the condition that the owner or operator complies with alternative levels defined as the land disposal restriction limits specified in LAC 33:V.Chapter 22.Table 2 for F039 nonwastewaters, will remain in effect until further administrative action is taken and notice is published in the *Federal Register* or the *Louisiana Register*; and

* * *

[See Prior Text in B.2.b - C.2.b]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 18:1375 (December 1992), amended LR 21:266 (March 1995), LR 22:826 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1107 (June 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

Appendices

Appendix H. ~~Potential PICs for Determination of Exclusion of Waste-derived Residues~~ Organic Compounds for Which Residues Must be Analyzed

40 CFR 266, appendix VIII, as amended by 56 FR 7235 (February 21, 1991), ~~and 56 FR 32691 (July 17, 1991), 64 FR 52827 (September 30, 1999), and 64 FR 63209 (November 19, 1999),~~ is hereby incorporated by reference.

Appendix I. Methods Manual for Compliance with the BIF Regulations

40 CFR 266, Appendix IX, as amended by 56 FR 32692 (July 17, 1991), 56 FR 42512, 42516 (August 27, 1991), 57 FR 38566 (August 25, 1992), ~~and 57 FR 44999 (September 30, 1992), and 62 FR 32463 (June 13, 1997),~~ is hereby incorporated by reference, except that the citations 40 CFR 261, Appendix VIII, 266.103, 266.103(b), 266.103(b)(3), 266.103(c), 266.103(c)(1), 266.103(c)(3)(ii), 266.103(c)(7), 266.103(d), 266.106, 266.112, 266.112(b)(1) and (b)(2)(i), 268.43, and 266.Subpart H shall mean LAC 33:V.3105.Table 1, 3007, 3007.B, 3007.B.3, 3007.C, 3007.C.1, 3007.C.3.b, 3007.C.7, 3007.D, 3013, 3025, ~~3013, 3025,~~ 3025.B.1 and B.2.a, Chapter 22.Table 2, and Chapter 30, respectively. Terms within the incorporated Appendix shall be the terms adopted by reference except that "director," "administrator," "EPA regional office," and "EPA regional office or the appropriate enforcement agency" shall mean "administrative authority." "Environmental Protection Agency" and "EPA" shall mean "administrative authority,"

except when referring to an EPA method, protocol, file, performance audit sample, handbook, manual, document, program, default value, or default assumption.

Federal statutes and regulations that are cited in 40 CFR 266, Appendix IX that are not specifically adopted by reference shall be used as guidance in interpreting the federal regulations in 40 CFR 266, Appendix IX.

**Appendix M. Mercury-Bearing Wastes That May Be Processed in Exempt Mercury
Recovery Units**

40 CFR 266, Appendix XIII, as amended by 59 FR 48041² (September 19, 1994), is hereby incorporated by reference, except that in regulations incorporated thereby, 40 CFR 261, Appendix VIII shall mean LAC 33:V.3105.Table 1.

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 31. Incinerators

§3105. Applicability

* * *

[See Prior Text in A]

B. Integration of the MACT Standards

1. Except as provided by Subsection B.2 of this Section, the standards of this Subsection no longer apply when an owner or operator demonstrates compliance with the maximum achievable control technology (MACT) requirements of 40 CFR part 63, subpart EEE by conducting a comprehensive performance test and submitting to the administrative authority a notification of compliance under 40 CFR 63.1207(j) and 63.1210(d) documenting compliance with the requirements of subpart EEE of 40 CFR 63. Nevertheless, even after this demonstration of compliance with the MACT standards, RCRA permit conditions that were based on the standards of LAC 33:V.901, 905, 907, and Chapters 15 - 21, 23 - 29, and 31-37 will continue to be in effect until they are removed from the permit or the permit is terminated or revoked, unless the permit expressly provides otherwise.

2. The MACT standards do not replace the closure requirements of LAC 33:V.3121 or the applicable requirements of LAC 33:V.901, 905, 907, and Chapters 15, 17 (Subchapters B and C), 33, 35, and 37.

BC. The administrative authority, in establishing permit conditions in the application, must exempt the applicant from all requirements of this Chapter except waste analyses (LAC 33:V.3107) and closure (LAC 33:V.3121) if he finds the waste to be burned is:

1. listed as a hazardous waste solely because it is ignitable or corrosive or both as defined in LAC 33:V.4903; or
2. listed as a hazardous waste because it is reactive for characteristics other than:
 - a. when mixed with water, it generates toxic gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment;;
 - b. it is a cyanide or sulfide-bearing waste which when exposed to pH conditions between 2 and 12.5 can generate toxic gases, vapors or fumes in a quantity to present

a danger to human health or the environment and will not be burned when other hazardous wastes are present in the combustion zone; or

3. it is a hazardous waste solely because it possesses the characteristics of ignitability, corrosivity, or both, as determined by the test for characteristics of hazardous waste under LAC 33:V.Chapter 49; or

4. a hazardous waste solely because it possesses any of the reactivity characteristics as defined below and will not be burned when other hazardous wastes are present in the combustion zone:

- a. it reacts violently with water;₂
- b. it forms potentially explosive mixtures with water;₂
- c. it is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;₂
- d. it is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure;₂
- e. it is a forbidden explosive as defined in LAC 33:V.Subpart 2, Chapter 101 or a Class A explosive as defined in LAC 33:V.Subpart 2, Chapter 101, or a Class B explosive as defined in LAC 33:V.Subpart 2, Chapter 101;₁ or
- f. it is normally unstable and readily undergoes violent change without detonating; and

5. if the waste analysis shows that the waste contains none of the hazardous constituents listed in Table 1 which would reasonably be expected to be in the waste.

ED. If the waste to be burned is one which is described in LAC 33:V.3105.B above and contains insignificant concentrations of the hazardous constituents listed in Table 1 then the administrative authority may, in establishing permit conditions, exempt the applicant from all requirements of this Section except waste analyses (LAC 33:V.3107) and closure (LAC 33:V.3121) unless he finds that the waste will pose a threat to human health and the environment when burned in an incinerator.

~~D.~~—Reserved

* * *

[See Prior Text in E]

Table 1. Hazardous Constituents			
Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
* * *			
[See Prior Text in A2213 - Toxaphene]			
Triallate	Carbamothioic acid, bis (1-methylethyl)-, S-(2,3,3-trichloro-2-propenyl) ester	2303-17-5	U389
2,4,6-Tribromophenol	Tribromophenol, 2,4,6-	118-79-6	U408
1,2,4-Trichlorobenzene	Benzene, 1,2,4-trichloro-	120-82-1	
* * *			
[See Prior Text in 1,1,2-Trichloroethane - Ziram]			

¹ The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this table.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 11:1139 (December 1985), LR 13:433 (August 1987), LR 14:424 (July 1988), LR 15:737 (September 1989), LR 16:399 (May 1990), LR 18:1256 (November 1992), LR 18:1375 (December 1992), LR 20:1000 (September 1994), LR 21:944 (September 1995), LR 22:835 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:318 (February 1998), LR 24:681 (April 1998), LR 24:1741 (September 1998), LR 25:479 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

§3115. Incinerator Permits for New or Modified Facilities

* * *

[See Prior Text in A - D]

E. When an owner or operator demonstrates compliance with the air emission standards and limitations in 40 CFR part 63, subpart EEE (i.e., by conducting a comprehensive performance test and submitting a notification of compliance), the requirements of this Section do not apply. Nevertheless, the administrative authority may apply the provisions of this Section,

on a case-by-case basis, for purposes of information collection in accordance with LAC 33:V.303.Q and 311.E.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 16:614 (July 1990), LR 18:1256 (November 1992), LR 22:828 (September 1996), LR 22:835 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:683 (April 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2484 (November 2000), LR 27:**.

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality — Hazardous Waste

Chapter 32. Miscellaneous Units

§3203. Environmental Performance Standards

A miscellaneous unit must be located, designed, constructed, operated, maintained, and closed in a manner that will ensure protection of human health and the environment. Permits for miscellaneous units are to contain such terms and provisions as necessary to protect human health and the environment, including, but not limited to, as appropriate, design and operating requirements, detection and monitoring requirements, and requirements for responses to releases of hazardous waste or hazardous constituents from the unit. Permit terms and provisions ~~shall~~ must include those requirements of LAC 33:V.Chapters 3, 5, 7, 17, 19, 21, 23, 25, 27, 29, and 31, and 4301.F, H, 4302, 4303 and 4305, all other applicable requirements of LAC 33:V.Subpart 1, and of 40 CFR 63.subpart EEE and 40 CFR 146, 1988, pp. 674-694, ~~which~~ that are appropriate for the miscellaneous unit being permitted. Protection of human health and the environment includes, but is not limited to:

* * *

[See Prior Text in A - C.7]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 16:399 (May 1990), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1742 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 38. Universal Wastes

Subchapter A. General

§3809. Applicability - Lamps

* * *

[See Prior Text in A - B]

1. lamps, ~~as described in LAC 33:V.3813~~, that are not yet wastes under LAC 33:V.4901, ~~including those that do not meet the criteria for waste generation as provided in Subsection C of this Section; and~~

2. lamps, ~~as described in this Chapter~~, that are not hazardous waste. A lamp is a hazardous waste if it exhibits one or more of the characteristics identified in LAC 33:V.4903.

C. Generation of Waste Lamps

1. A used lamp becomes a waste on the date it is discarded ~~(i.e., sent for reclamation)~~.

2. An unused lamp becomes a waste on the date the handler decides to discard it.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Waste Services, Hazardous Waste Division, LR 24:1760 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

§3813. Definitions

* * *

[See Prior Text]

Lamp (also referred to as universal waste lamp)—the bulb or tube portion of an electric lighting device. A lamp is specifically designed to produce radiant energy, most often in the

ultraviolet (~~UV~~), visible, and infra-red (~~IR~~) regions of the electromagnetic spectrum. Examples of common universal waste electric lamps include, but are not limited to, ~~incandescent~~, fluorescent, high intensity discharge, ~~and neon~~, mercury vapor, high pressure sodium, and metal halide lamps.

* * *
[See Prior Text]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 23:570 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1760 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:287 (February 2000), LR 27:**.

Subchapter B. Standards for Small Quantity Handlers of Universal Waste

§3821. Waste Management

* * *
[See Prior Text in A - C.3.b]

D. ~~Universal Waste~~ Lamps. A small quantity handler of universal waste must manage ~~universal waste~~ lamps in a way that prevents releases of any universal wastes or a component of ~~any~~ a universal waste to the environment, as follows:

1. a small quantity handler of universal waste must contain any ~~unbroken~~ lamps in packaging containers or packages that will minimize breakage during normal handling are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions; and

2. a small quantity handler of universal waste must ~~contain broken lamps in packaging that will minimize the releases of lamp fragments and residues~~ immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps and must lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.

* * *

[See Prior Text in E - E.4]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 23:571 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1760 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

§3823. Labeling/Marking

A. A small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified below:

* * *

[See Prior Text in A.1 - 4]

5. ~~universal waste lamps (i.e., each lamp),~~ or a container or package in which ~~the~~ such lamps are contained, must be labeled or marked clearly with ~~any~~ one of the following phrases: "Universal Waste - Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

* * *

[See Prior Text in A.6]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 23:572 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1761 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

Subchapter C. Standards for Large Quantity Handlers of Universal Waste

§3843. Waste Management

* * *

[See Prior Text in A - C.3.b]

D. ~~Universal Waste~~ Lamps. A large quantity handler of universal waste must manage

~~universal waste~~ lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

1. a large quantity handler of universal waste must contain any ~~unbroken~~ lamps in ~~packaging containers or packages that will minimize breakage during normal handling~~ are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions; and

2. a large quantity handler of universal waste must ~~contain broken lamps in packaging that will minimize the releases of lamp fragments and residues~~ immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps and must lack evidence of leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.

* * *

[See Prior Text in E - E.4]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 23:574 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1761 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

§3845. Labeling/Marking

A. A large quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste as specified below:

* * *

[See Prior Text in A.1 - 4]

5. ~~universal waste lamps (i.e., each lamp), or a container or package in which the~~ such lamps are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste - Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

* * *

[See Prior Text in A.6]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 23:575 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1761 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality — Hazardous Waste

Chapter 43. Interim Status

Subchapter N. Incinerators

§4513. Applicability

* * *
[See Prior Text in A]

B. Integration of the MACT Standards

1. Except as provided by Subsection B.2 of this Section, the standards of this Chapter no longer apply when an owner or operator demonstrates compliance with the maximum achievable control technology (MACT) requirements of 40 CFR part 63, subpart EEE by conducting a comprehensive performance test and submitting to the administrative authority a notification of compliance under 40 CFR 63.1207(j) and 63.1210(d) documenting compliance with the requirements of subpart EEE of 40 CFR 63.

2. The following requirements continue to apply even where the owner or operator has demonstrated compliance with the MACT requirements of 40 CFR 63, subpart EEE, LAC 33:V.4521(closure), and the applicable requirements of LAC 33:V.4301.A- C, G, I, 4306, and Chapter 43 (Subchapters A – G, R, and V).

BC. Owners or operators of incinerators burning hazardous waste are exempt from all of the requirements of this Section, except LAC 33:V.4521 (Closure), provided that the owner or operator has documented, in writing, that the waste would not reasonably be expected to contain any of the hazardous constituents listed in LAC 33:V.3105.Table 1, and such documentation is retained at the facility, if the waste to be burned is:

1. listed as a hazardous waste in LAC 33:V.4901, solely because it is ignitable (Hazard Code I), corrosive (Hazard Code C), or both; or
2. listed as a hazardous waste in LAC 33:V.4901, solely because it is reactive (Hazard Code R) for characteristics other than those listed in LAC 33:V.4903.D.4 and 5, and will not be burned when other hazardous wastes are present in the combustion zone; or

3. a hazardous waste solely because it possesses the characteristic of ignitability, corrosivity, or both, as determined by the tests for characteristics of hazardous wastes under LAC 33:V.4903; or

4. a hazardous waste solely because it possesses the reactivity characteristics described by LAC 33:V.4903.D.1-3 and 6-8, and will not be burned when other hazardous wastes are present in the combustion zone.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 15:737 (September 1989), amended LR 16:220 (March 1990), LR 18:1375 (December 1992), LR 20:1000 (September 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 49. Lists of Hazardous Wastes

§4901. Category I Hazardous Wastes

* * *
[See Prior Text in A - B.3.c.xii]

C. Hazardous wastes from specific sources are listed in Table 2.

Table 2. Hazardous Wastes from Specific Sources		
Industry and EPA Hazardous Waste Number	Hazard Code	Hazardous Waste
Wood preservation		
* * *		
[See Prior Text]		
Organic chemicals		
* * *		
[See Prior Text]		
K136	(T)	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.
K140	(T)	Floor sweepings, off-specification product, and spent filter media from the production of 2,4,6-Tribromophenol.
K149	(T)	Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.)

Table 2. Hazardous Wastes from Specific Sources		
Industry and EPA Hazardous Waste Number	Hazard Code	Hazardous Waste
* * *		
[See Prior Text]		
Iron and steel		
* * *		
[See Prior Text]		
K062	(C,T)	Spent pickle liquor generated by steel finishing operations of iron and steel industry (SIC Codes 331 and 332).
Primary copper		
K064	(T)	Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry from primary copper production
Primary lead		
K065	(T)	Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities
Primary zinc		
K066	(T)	Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production
Primary aluminum		
K088	(T)	Spent potliners from primary aluminum reduction.

Table 2. Hazardous Wastes from Specific Sources		
Industry and EPA Hazardous Waste Number	Hazard Code	Hazardous Waste
Ferroalloys		
K090	(T)	Emission control dust or sludge from ferrochromium-silicon production
K091	(T)	Emission control dust or sludge from ferrochromium production
Secondary lead		
<p style="text-align: center;">* * *</p> <p style="text-align: center;">[See Prior Text]</p>		

* * *

[See Prior Text in D – F.Comment]

Table 4. Toxic Wastes		
EPA Hazardous Waste Number	Chemical Abstract Number	Hazardous Waste
<p style="text-align: center;">* * *</p> <p style="text-align: center;">[See Prior Text]</p>		
U011	61-82-5	1H-1,2,4-Triazol-3-amine
U408	118-79-6	2,4,6-Tribromophenol
U227	79-00-5	1,1,2-Trichloroethane
<p style="text-align: center;">* * *</p> <p style="text-align: center;">[See Prior Text]</p>		

¹ CAS Number given for parent compound only.

G. Constituents that Serve as a Basis for Listing Hazardous Waste. Table 6 lists constituents that serve as a basis for listing hazardous waste.

Table 6.
Table of Constituents that Serve as a Basis for Listing Hazardous Waste

* * *

[See Prior Text in EPA Hazardous Waste Number F001 – EPA Hazardous Waste Number K132.
Methyl Bromide]

EPA Hazardous Waste Number K136
Ethylene dibromide

~~EPA Hazardous Waste Number K140~~
~~2,4,6-Tribromophenol~~

EPA Hazardous Waste Number K141
Benzene
benzo(a)anthracene
benzo(a)pyrene
benzo(b)fluoranthene
benzo(k)fluoranthene
dibenz(a,h)anthracene
indeno(1,2,3-cd)pyrene

* * *

[See Prior Text in EPA Hazardous Waste Number K142 – EPA Hazardous Waste Number K172.
Benzene, arsenic]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:320 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 14:426 (July 1988), LR 14:790 (November 1988), LR 15:182 (March 1989), LR 16:47 (January 1990), LR 16:220 (March 1990), LR 16:614 (July 1990), LR 16:1057 (December 1990), LR 17:369 (April 1991), LR 17:478 (May 1991), LR 17:658 (July 1991), LR 18:723 (July 1992), LR 18:1256 (November 1992), LR 18:1375 (December 1992), LR 20:1000 (September 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:829 (September 1996), LR 22:840 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR

23:1522 (November 1997), LR 24:321 (February 1998), LR 24:686(April 1998), LR 24:1754 (September 1998), LR 25:487 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:**.

§4909. Comparable/Syngas Fuel Exclusion

* * *

[See Prior Text in A – C.5]

Table 7: Detection and Detection Limit Values for Comparable Fuel Specification					
Chemical Name	CAS Number	Composite Value (mg/kg)	Heating Value (BTU/lb)	Concentration Limit (mg/kg at required 10,000 BTU/lb)	Minimum Required Detection Limit (mg/kg)
Total Nitrogen as N	NA	9000	18400	4900	
Total Halogens as Cl	NA	1000	18400	540	
Total Organic Halogens as Cl	NA			25 or individual halogenated organics listed below	
Polychlorinated biphenyls, total [Aroclors, total]	1336-36-3	Nondetect		Nondetect	1.4
Cyanide, total	57-12-5	Nondetect		Nondetect	1.0
Metals:					
Antimony, total	7440-36-0	Nondetect		7.912	
Arsenic, total	7440-38-2	Nondetect		0.23	
Barium, total	7440-39-3	Nondetect		23	
Beryllium, total	7440-41-7	Nondetect		1.2	
Cadmium, total	7440-43-9		Nondetect	1.2	1.2
Chromium, total	7440-47-3	Nondetect		2.3	
Cobalt	7440-48-4	Nondetect		4.6	
Lead, total	7439-92-1	57	18100	31	
Manganese	7439-96-5	Nondetect		1.2	
Mercury, total	7439-97-6	Nondetect		0.245	
Nickel, total	7440-02-0	106	18400	58	
Selenium, total	7782-49-2	Nondetect		0.4523	
Silver, total	7440-22-4	Nondetect		2.3	
Thallium, total	7440-28-0	Nondetect		23	
Hydrocarbons:					
Benzo[a]anthracene	56-55-3	Nondetect		11002400	
Benzene	71-43-2	8000	19600	4100	
Benzo[b]fluoranthene	205-99-2	Nondetect		9602400	
Benzo[k]fluoranthene	207-08-9	Nondetect		19002400	
Benzo[a]pyrene	50-32-8	Nondetect		9602400	
Chrysene	218-01-9	Nondetect		14002400	
Dibenzo[a,h]anthracene	53-70-3	Nondetect		9602400	
7,12-Dimethylbenz[a]anthracene	57-97-6	Nondetect		19002400	
Fluoranthene	206-44-0	Nondetect		19002400	
Indeno(1,2,3-cd)pyrene	193-39-5	Nondetect		9602400	
3-Methylcholanthrene	56-49-5	Nondetect		19002400	
Naphthalene	91-20-3	6200	19400	3200	
Toluene	108-88-3	69000	19400	36000	
Oxygenates:					
Acetophenone	98-86-2	Nondetect		19002400	
Acrolein	107-02-8	Nondetect		3739	
Allyl alcohol	107-18-6	Nondetect		30	
Bis(2-ethylhexyl)phthalate [Di-2-ethylhexyl phthalate]	117-81-7	Nondetect		19002400	
Butyl benzyl phthalate	85-68-7	Nondetect		19002400	
o-Cresol [2-Methyl phenol]	95-48-7	Nondetect		2202400	

Table 7: Detection and Detection Limit Values for Comparable Fuel Specification					
Chemical Name	CAS Number	Composite Value (mg/kg)	Heating Value (BTU/lb)	Concentration Limit (mg/kg at required 10,000 BTU/lb)	Minimum Required Detection Limit (mg/kg)
m-Cresol [3-Methyl phenol]	108-39-4	Nondetect		2202400	
p-Cresol [4-Methyl phenol]	106-44-5	Nondetect		2202400	
Di-n-butyl phthalate	84-74-2	Nondetect		19002400	
Diethyl phthalate	84-66-2	Nondetect		19002400	
2,4-Dimethylphenol	105-67-9	Nondetect		19002400	
Dimethyl phthalate	131-11-3	Nondetect		19002400	
Di-n-octyl phthalate	117-84-0	Nondetect		9602400	
Endothall	145-73-3	Nondetect		100	
Ethyl methacrylate	97-63-2	Nondetect		379	
2-Ethoxyethanol [Ethylene glycol monoethyl ether]	110-80-5	Nondetect		100	
Isobutyl alcohol	78-83-1	Nondetect		379	
Isosafrole	120-58-1	Nondetect		19002400	
Methyl ethyl ketone [2-Butanone]	78-93-3	Nondetect		379	
Methyl methacrylate	80-62-6	Nondetect		379	
1,4-Naphthoquinone	130-15-4	Nondetect		19002400	
Phenol	108-95-2	Nondetect		19002400	
Propargyl alcohol [2-Propyn-1-ol]	107-19-7	Nondetect		30	
Safrole	94-59-7	Nondetect		19002400	
Sulfonated Organics:					
Carbon disulfide	75-15-0	Nondetect		Nondetect	379
Disulfoton	298-04-4	Nondetect		Nondetect	19002400
Ethyl methanesulfonate	62-50-0	Nondetect		Nondetect	19002400
Methyl methanesulfonate	66-27-3	Nondetect		Nondetect	19002400
Phorate	298-02-32	Nondetect		Nondetect	19002400
1,3-Propane sultone	1120-71-4	Nondetect		Nondetect	100
Tetraethyldithiopyrophosphate [Sulfotepp]	3689-24-5	Nondetect		Nondetect	19002400
Thiophenol [Benzenethiol]	108-98-5	Nondetect		Nondetect	30
O,O,O-Triethyl phosphorothioate	126-68-1	Nondetect		Nondetect	19002400
Nitrogenated Organics:					
Acetonitrile [Methyl cyanide]	75-05-8	Nondetect		Nondetect	379
2-Acetylaminofluorene [2-AAF]	53-96-3	Nondetect		Nondetect	19002400
Acrylonitrile	107-13-1	Nondetect		Nondetect	379
4-Aminobiphenyl	92-67-1	Nondetect		Nondetect	19002400
4-Aminopyridine	504-24-5	Nondetect		Nondetect	100
Aniline	62-53-3	Nondetect		Nondetect	19002400
Benzidine	92-87-5	Nondetect		Nondetect	19002400
Dibenz[a,j]acridine	224-42-0	Nondetect		Nondetect	19002400
O,O-Diethyl O-pyrazinyl phosphoro-thioate [Thionazin]	297-97-2	Nondetect		Nondetect	19002400
Dimethoate	60-51-5	Nondetect		Nondetect	19002400
p-(Dimethylamino)azobenzene [4-Dimethylaminoazobenzene]	60-11-7	Nondetect		Nondetect	19002400
3,3'-Dimethylbenzidine	119-93-7	Nondetect		Nondetect	19002400
α,α-Dimethylphenethylamine	122-09-8	Nondetect		Nondetect	19002400
3,3'-Dimethoxybenzidine	119-90-4	Nondetect		Nondetect	100
1,3-Dinitrobenzene [m-Dinitrobenzene]	99-65-0	Nondetect		Nondetect	19002400
4,6-Dinitro-o-cresol	534-52-1	Nondetect		Nondetect	19002400
2,4-Dinitrophenol	51-28-5	Nondetect		Nondetect	19002400
2,4-Dinitrotoluene	121-14-2	Nondetect		Nondetect	19002400
2,6-Dinitrotoluene	606-20-2	Nondetect		Nondetect	19002400
Dinoseb [2-sec-Butyl-4,6-dinitrophenol]	88-85-7	Nondetect		Nondetect	19002400
Diphenylamine	122-39-4	Nondetect		Nondetect	19002400

Table 7: Detection and Detection Limit Values for Comparable Fuel Specification					
Chemical Name	CAS Number	Composite Value (mg/kg)	Heating Value (BTU/lb)	Concentration Limit (mg/kg at required 10,000 BTU/lb)	Minimum Required Detection Limit (mg/kg)
Ethyl carbamate [Urethane]	51-79-6	Nondetect		Nondetect	100
Ethylenethiourea (2-Imidazolidinethione)	96-45-7	Nondetect		Nondetect	110
Famphur	52-85-7	Nondetect		Nondetect	19002400
Methacrylonitrile	126-98-7	Nondetect		Nondetect	379
Methapyrilene	91-80-5	Nondetect		Nondetect	19002400
Methomyl	16752-77-5	Nondetect		Nondetect	57
2-Methylactonitrile [Acetone cyanohydrin]	75-86-5	Nondetect		Nondetect	100
Methyl parathion	298-00-0	Nondetect		Nondetect	19002400
MNNG (N-Metyl-N-nitroso-N'-nitroguanidine)	70-25-7	Nondetect		Nondetect	110
1-Naphthylamine, [α -Naphthylamine]	134-32-7	Nondetect		Nondetect	19002400
2-Naphthylamine, [β -Naphthylamine]	91-59-8	Nondetect		Nondetect	19002400
Nicotine	54-11-5	Nondetect		Nondetect	100
4-Nitroaniline, [p-Nitroaniline]	100-01-6	Nondetect		Nondetect	19002400
Nitrobenzene	98-95-3	Nondetect		Nondetect	19002400
p-Nitrophenol, [p-Nitrophenol]	100-02-7	Nondetect		Nondetect	19002400
5-Nitro-o-toluidine	99-55-8	Nondetect		Nondetect	19002400
N-Nitrosodi-n-butylamine	924-16-3	Nondetect		Nondetect	19002400
N-Nitrosodiethylamine	55-18-5	Nondetect		Nondetect	19002400
N-Nitrosodiphenylamine, [Diphenylnitrosamine]	86-30-6	Nondetect		Nondetect	19002400
N-Nitroso-N-methylethylamine	10595-95-6	Nondetect		Nondetect	19002400
N-Nitrosomorpholine	59-89-2	Nondetect		Nondetect	19002400
N-Nitrosopiperidine	100-75-4	Nondetect		Nondetect	19002400
N-Nitrosopyrrolidine	930-55-2	Nondetect		Nondetect	19002400
2-Nitropropane	79-46-9	Nondetect		Nondetect	30
Parathion	56-38-2	Nondetect		Nondetect	19002400
Phenacetin	62-44-2	Nondetect		Nondetect	19002400
1,4-Phenylenediamine, [p-Phenylenediamine]	106-50-3	Nondetect		Nondetect	19002400
N-Phenylthiourea	103-85-5	Nondetect		Nondetect	57
2-Picoline [alpha-Picoline]	109-06-8	Nondetect		Nondetect	19002400
Propylthioracil [6-Propyl-2-thiouracil]	51-52-5	Nondetect		Nondetect	100
Pyridine	110-86-1	Nondetect		Nondetect	19002400
Strychnine	57-24-9	Nondetect		Nondetect	100
Thioacetamide	62-55-5	Nondetect		Nondetect	57
Thiofanox	39196-18-4	Nondetect		Nondetect	100
Thiourea	62-56-6	Nondetect		Nondetect	57
Toluene-2,4-diamine [2,4-Diaminotoluene]	95-80-7	Nondetect		Nondetect	57
Toluene-2,6-diamine [2,6-Diaminotoluene]	823-40-5	Nondetect		Nondetect	57
o-Toluidine	95-53-4	Nondetect		Nondetect	22002400
p-Toluidine	106-49-0	Nondetect		Nondetect	100
1,3,5-Trinitrobenzene, [sym-Trinitrobenzene]	99-35-4	Nondetect		Nondetect	20002400
Halogenated Organics ^b :					
Allyl chloride	107-05-1	Nondetect		Nondetect	379
Aramite	1040-57-8	Nondetect		Nondetect	19002400
Benzal chloride [Dichloromethyl benzene]	98-87-3	Nondetect		Nondetect	100
Benzyl chloride	100-44-77	Nondetect		Nondetect	100
Bis(2-chloroethyl)ether [Dichloroethyl ether]	111-44-4	Nondetect		Nondetect	19002400
Bromoform [Tribromomethane]	75-25-2	Nondetect		Nondetect	379
Bromomethane [Methyl bromide]	74-83-9	Nondetect		Nondetect	379
4-Bromophenyl phenyl ether [p-Bromo diphenyl ether]	101-55-3	Nondetect		Nondetect	19002400
Carbon tetrachloride	56-23-5	Nondetect		Nondetect	379
Chlordane	57-74-9	Nondetect		Nondetect	14

Table 7: Detection and Detection Limit Values for Comparable Fuel Specification					
Chemical Name	CAS Number	Composite Value (mg/kg)	Heating Value (BTU/lb)	Concentration Limit (mg/kg at required 10,000 BTU/lb)	Minimum Required Detection Limit (mg/kg)
p-Chloroaniline	106-47-8	Nondetect		Nondetect	19002400
Chlorobenzene	108-90-7	Nondetect		Nondetect	379
Chlorobenzilate	510-15-6	Nondetect		Nondetect	19002400
p-Chloro-m-cresol	59-50-7	Nondetect		Nondetect	19002400
2-Chloroethyl vinyl ether	110-75-8	Nondetect		Nondetect	379
Chloroform	67-66-3	Nondetect		Nondetect	379
Chloromethane [Methyl chloride]	74-87-3	Nondetect		Nondetect	379
2-Chloronaphthalene [beta-Chloronaphthalene]	91-58-7	Nondetect		Nondetect	19002400
2-Chlorophenol [o-Chlorophenol]	95-57-8	Nondetect		Nondetect	19002400
Chloroprene [2-Chloro-1,3-butadiene]	1126-99-8	Nondetect		Nondetect	379
2,4-D [2,4-Dichlorophenoxyacetic acid]	94-75-7	Nondetect		Nondetect	7.0
Diallate	2303-16-4	Nondetect		Nondetect	19002400
1,2-Dibromo-3-chloropropane	96-12-8	Nondetect		Nondetect	379
1,2-Dichlorobenzene [o-Dichlorobenzene]	95-50-1	Nondetect		Nondetect	19002400
1,3-Dichlorobenzene [m-Dichlorobenzene]	541-73-1	Nondetect		Nondetect	19002400
1,4-Dichlorobenzene [p-Dichlorobenzene]	106-46-7	Nondetect		Nondetect	19002400
3,3'-Dichlorobenzidine	91-94-1	Nondetect		Nondetect	19002400
Dichlorodifluoromethane [CFC-12]	75-71-8	Nondetect		Nondetect	379
1,2-Dichloroethane [Ethylene dichloride]	107-06-2	Nondetect		Nondetect	379
1,1-Dichloroethylene [Vinylidene chloride]	75-35-4	Nondetect		Nondetect	379
Dichloromethoxy ethane [Bis(2-chloroethoxy)methane]	111-91-1	Nondetect		Nondetect	19002400
2,4-Dichlorophenol	120-83-2	Nondetect		Nondetect	19002400
2,6-Dichlorophenol	87-65-0	Nondetect		Nondetect	19002400
1,2-Dichloropropane [Propylene dichloride]	78-87-5	Nondetect		Nondetect	379
cis-1,3-Dichloropropylene	10061-01-5	Nondetect		Nondetect	379
trans-1,3-Dichloropropylene	10061-02-6	Nondetect		Nondetect	379
1,3-Dichloro-2-propanol	96-23-1	Nondetect		Nondetect	30
Endosulfan I	959-98-8	Nondetect		Nondetect	1.4
Endosulfan II	33213-65-9	Nondetect		Nondetect	1.4
Endrin	72-20-8	Nondetect		Nondetect	1.4
Endrin aldehyde	7421-93-4	Nondetect		Nondetect	1.4
Endrin Ketone	53494-70-5	Nondetect		Nondetect	1.4
Epichlorohydrin [1-Chloro-2,3-epoxy propane]	106-89-8	Nondetect		Nondetect	30
Ethylidene dichloride [1,1-Dichloroethane]	75-34-3	Nondetect		Nondetect	379
2-Fluoroacetamide	640-19-7	Nondetect		Nondetect	100
Heptachlor	76-44-8	Nondetect		Nondetect	1.4
Heptachlor epoxide	1024-57-3	Nondetect		Nondetect	2.8
Hexachlorobenzene	118-74-1	Nondetect		Nondetect	19002400
Hexachloro-1,3-butadiene [Hexachlorobutadiene]	87-68-3	Nondetect		Nondetect	19002400
Hexachlorocyclopentadiene	77-47-4	Nondetect		Nondetect	19002400
Hexachloroethane	67-72-1	Nondetect		Nondetect	19002400
Hexachlorophene	70-30-4	Nondetect		Nondetect	100059000
Hexachloropropene [Hexachloropropylene]	1888-71-7	Nondetect		Nondetect	19002400
Isodrin	465-73-6	Nondetect		Nondetect	19002400
Kepone [Chlordecone]	143-50-0	Nondetect		Nondetect	36004700
Lindane [gamma-Hexachlorocyclohexane] [gamma-BHC]	58-89-9	Nondetect		Nondetect	1.4
Methylene chloride [Dichloromethane]	75-09-2	Nondetect		Nondetect	379
4,4'-methylene-bis(2-chloroaniline)	101-14-4	Nondetect		Nondetect	100
Methyl iodide [Iodomethane]	74-88-4	Nondetect		Nondetect	379
Pentachlorobenzene	608-93-5	Nondetect		Nondetect	19002400

Table 7: Detection and Detection Limit Values for Comparable Fuel Specification					
Chemical Name	CAS Number	Composite Value (mg/kg)	Heating Value (BTU/lb)	Concentration Limit (mg/kg at required 10,000 BTU/lb)	Minimum Required Detection Limit (mg/kg)
Pentachloroethane	76-01-7	Nondetect		Nondetect	379
Pentachloronitrobenzene [PCNB] [Quintobenzene] [Quintozone]	862-68-8	Nondetect		Nondetect	19002400
Pentachlorophenol	87-86-5	Nondetect		Nondetect	19002400
Pronamide	23950-58-5	Nondetect		Nondetect	19002400
Silvex [2,4,5-Trichlorophenoxypropionic acid]	93-72-1	Nondetect		Nondetect	7.0
2,3,7,8-Tetrachlorodibenzo-p-dioxin [2,3,7,8-TCDD]	1746-01-6	Nondetect		Nondetect	30
1,2,4,5-Tetrachlorobenzene	95-94-3	Nondetect		Nondetect	19002400
1,1,2,2-Tetrachloroethane	79-34-5	Nondetect		Nondetect	379
Tetrachloroethylene [Perchloroethylene]	127-18-4	Nondetect		Nondetect	379
2,3,4,6-Tetrachlorophenol	58-90-2	Nondetect		Nondetect	19002400
1,2,4-Trichlorobenzene	120-82-1	Nondetect		Nondetect	19002400
1,1,1-Trichloroethane [Methyl chloroform]	71-55-6	Nondetect		Nondetect	379
1,1,2-Trichloroethane [Vinyl trichloride]	79-00-5	Nondetect		Nondetect	379
Trichloroethylene	79-01-6	Nondetect		Nondetect	379
Trichlorofluoromethane [Trichloromonofluoromethane]	75-69-4	Nondetect		Nondetect	379
2,4,5-Trichlorophenol	95-95-4	Nondetect		Nondetect	19002400
2,4,6-Trichlorophenol	88-06-02	Nondetect		Nondetect	19002400
1,2,3-Trichloropropane	96-18-4	Nondetect		Nondetect	379
Vinyl Chloride	75-01-4	Nondetect		Nondetect	379

^a ~~Absence of PCBs can also be demonstrated by using appropriate screening methods, e.g., immunoassay kit for PCB in oils (Method 4020) or colorimetric analysis for PCBs in oil (Method 9079).~~

^b ~~Some minimum required detection limits are above the total halogen limit of 540 ppm. The detection limits reflect what was achieved during EPA testing and analysis and also analytical complexity associated with measuring all halogen compounds on LAC 33:V.Chapter 31.Table 1 at low levels. EPA recognizes that in practice the presence of these compounds will be functionally limited by the molecular weight and the total halogen limit of 540 ppm.~~

Notes:

NA – Not Applicable

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[See Prior Text in D – D.13]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Waste Services, Hazardous Waste Division, LR 25:489 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:***.